

Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

Non-elected claims 1-11 and claim 12 have been cancelled. New claims 16-23 have been added.

Claim Rejections - 35 USC § 102

Claim 15, which has been rewritten in independent form, recites a device for determining an aperture angle of a joint that includes, *inter alia*, a robot and a force measuring device for applying defined forces in defined directions onto the joint.

Delp et al. fails to disclose or fairly suggest a robot and a force measuring device for applying defined forces in defined directions. Page 4, paragraph 12 of the Office Action points to element 670 of Delp et al. for disclosure of the robot and force measuring device that is recited in claim 15. It is respectfully submitted that a closer reading of Delp et al. reveals the Examiner's reliance on Delp et al. is misplaced. Element 670 in Delp et al. refers to a coordinate measuring machine ("CMM") (see, e.g., col. 13, lines 30-35 and col. 15, lines 31-47). The CMM disclosed is Delp et al. in no way is suggestive of the robot and force measuring device recited in claim 15. In addition, Hu fails to cure the deficiencies of Delp et al.

For at least these reasons, it is respectfully submitted that claim 15 and claims 13, 14, and 16 dependent therefrom distinguish patentably over the references of record. Accordingly, the rejections should be withdrawn.

New claim 17 recites a device for determining an aperture angle of a joint that includes, *inter alia*, a force applying device that applies defined forces in defined directions to the joint and/or to structures connected to or to be connected to the joint, and a force measuring device that measures forces applied to the joint and/or to the structures connected to or to be connected to the joint.

As discussed above, Delp et al. fails to disclose or fairly suggest a force applying device. In addition, Delp et al. fails to disclose or fairly suggest a force measuring device. Hu fails to cure the deficiencies of Delp et al.

Accordingly, it is respectfully submitted that claim 17 and claims 18-23 dependent therefrom distinguish patentably over the references of record.

Conclusion

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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